

EXHIBIT 3



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ASIA PACIFIC

Fight Over Cambodian Leader's Facebook 'Likes' Reaches a U.S. Court

By JULIA WALLACE FEB. 9, 2018

PHNOM PENH, Cambodia — One of Cambodia's leading opposition figures has asked a federal court in California to force Facebook to reveal details of its dealings with Hun Sen, the country's authoritarian prime minister, arguing that he has used the platform to manipulate public opinion and strengthen his hold on power.

Lawyers for the opposition politician, Sam Rainsy, filed a petition on Thursday in the Northern District of California asking that Facebook be compelled to release records of advertising purchases by Mr. Hun Sen and his allies.

Mr. Sam Rainsy says Mr. Hun Sen has used Facebook to spread false news stories and death threats directed at political opponents. And he alleges that in addition to generating "likes" by paying for his pages to get targeted promotion, Mr. Hun Sen used so-called click farms to accumulate millions of counterfeit ones.

J. Noah Hagey, a partner in the San Francisco-based law firm BraunHagey & Borden, which is representing Mr. Sam Rainsy, called the legal action "an opportunity to bring unique transparency to some of the Hun regime's most insidious methods for controlling and manipulating ordinary citizens."

Facebook's political influence around the world had come under scrutiny even before the 2016 election made social media a political issue in the United States. Critics say false news stories on Facebook can help people in power unfairly tar their critics. In Asia, Rodrigo Duterte, president of the Philippines, has used Facebook to rail against his critics and bolster support for extrajudicial killings, and others have used it to inflame tensions in places like Indonesia.

Mr. Sam Rainsy's petition cites leaked emails purporting to show that at one point, Mr. Hun Sen's Cambodian People's Party was paying Facebook \$15,000 per day to promote its pages. The filing seeks records of those transactions from Facebook, and it urges the company to assess whether Mr. Hun Sen and his allies have been violating the platform's terms of use.

Genevieve Grdina, a spokeswoman for Facebook, declined to comment directly on the petition, but she said that anyone with a public Facebook page could purchase targeted ads to reach particular audiences, and that Facebook made every possible effort to identify and eliminate click farms and fake pages.

Mr. Hun Sen, who has been in power for 33 years, has overseen an extensive crackdown on dissent and opposition as national elections scheduled for July have approached. The country's main opposition party has been dissolved, its leaders — including Mr. Sam Rainsy, who lives abroad — have been driven into exile or jailed, and independent news media outlets have been shut down.

Mr. Hun Sen nearly lost Cambodia's last national elections, in 2013, to the party led by Mr. Sam Rainsy, which used Facebook to appeal to young people and to skirt government restrictions on his access to traditional media. The opposition recruited a team to report and broadcast news shows entirely on Facebook, and used young social media stars to encourage attendance at antigovernment protests. (The opposition and its supporters also used the site to spread false rumors, as well as racist claims about Vietnamese living in Cambodia.)

Mr. Hun Sen seemed to learn his lesson. The premier and his family assembled a team to disseminate pro-government propaganda and pour money into promoting their own pages on Facebook, which is one of the country's most popular sources of information. Government ministries, all of which are run by Mr. Hun Sen's party,

were ordered to form “Facebook working groups,” and officials were told to start their own personal pages to interact with the public.

However his “likes” were generated, Mr. Hun Sen’s Facebook page now has more of them than any other in Cambodia. On it, he intersperses policy dictates and slick propaganda videos with slices of everyday life: photographs of him in an undershirt on the beach, in bed with his wife, and hugging garment factory workers. In speeches posted to his page, he rails against his political opponents and threatens that war will ensue if he ever loses power, while also offering folksy musings and updates on his health.

Duong Dara, who manages Mr. Hun Sen’s Facebook presence, said Mr. Sam Rainsy’s petition revealed a misunderstanding of the nature of advertising.

“You can see many billboards on the street, and people are willing to pay for more advertising, and it brings more business,” Mr. Duong Dara said. “This is normal and simple and everywhere. It’s part of business. It’s not like you are stealing or you are trying to get fake ‘likes’ and fake whatever.”

He said the emails purporting to show huge Facebook ad spending by the Cambodian government were “fake information,” but he declined to provide a more accurate figure.

Mr. Sam Rainsy has been living overseas since 2015, after being bombarded with a spate of lawsuits that would see him jailed for years if he were to return. In one of his many legal cases, he was convicted of defamation after complaining that the prime minister appeared to be purchasing Facebook “likes” from India and the Philippines. In three others, he was prosecuted for comments made on the site.

The Cambodian government has also clamped down on ordinary Facebook users, monitoring the site for dissent and sometimes prosecuting people. One woman fled the country after being sought by the police for throwing a shoe at a sign advertising the Cambodian People’s Party and uploading a video of the act to Facebook. On Thursday, Thailand sent her back to Cambodia, where she was taken into police custody.

In another case, a student was jailed for 18 months for calling for a “color revolution” on Facebook. No pro-government Facebook users have ever been prosecuted along similar lines.

Huy Vannak, an under secretary of state at Cambodia’s Interior Ministry who often speaks on behalf of the government on media-related matters, said on Thursday that Mr. Sam Rainsy’s petition was “stupid and funny.” He said Facebook was a level playing field where both the government and the opposition were free to promote their pages and make appeals to voters.

“I just tell stupid Sam Rainsy that if he plays Facebook, he should know about this,” Mr. Huy Vannak said. “Facebook has room for everyone to pay and boost their Facebook ‘likes.’ This is reality. If he wants more ‘likes’ on his Facebook, he can pay the money to Facebook, and then he will get more ‘likes’ if he wants.”

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